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**UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. A-01-378 Civil (RRB)
v.)	
)	MAY 29, 2007 STATUS REPORT AND
CLARENCE ABELDGAARD,)	REQUEST TO CONTINUE STAY OF
OCEANVIEW ENTERPRISES, INC.,)	PROCEEDINGS AGAINST
CLOYD MOSER and MODEB)	GERALDINE BARLING
INVESTMENTS,)	
)	
Defendants.)	
_____)	

Plaintiff United States of America ("United States") hereby submits this May 29, 2007
Status Report and Request to Continue Stay of Proceedings Against Geraldine Barling ("Status

Report”) in accordance with this Court’s May 18, 2007 Order Continuing Stay of Proceedings Against Geraldine Barling (Docket No. 173), which required that a status report be filed by this date if a consent decree had not yet been lodged. The United States states as follows:

1. As previously reported to the Court, the United States and Ms. Barling took part in a settlement meeting in Anchorage, Alaska on February 28, 2007. During that meeting, representatives of the United States and Ms. Barling reached a proposed agreement. On March 12, 2007, counsel for Ms. Barling informed counsel for the United States that Ms. Barling had agreed to the terms of a proposed consent decree. The United States also reported that it was in the process of finalizing the proposed consent decree and seeking the required approvals of it.^{1/}

2. As also previously reported, the United States has continued to make the changes required to finalize the consent decree and has moved forward the approval processes at EPA and at the Department of Justice.^{2/}

3. The proposed consent decree has been circulated for signature within the federal government. However, as also previously reported to the Court, undersigned counsel received a letter on May 14, 2007 from counsel for Ms. Barling reporting that a fire had occurred at a house

^{1/} As with all such potential settlements, the proposed consent decree requires formal review and approval at EPA as well as at the Department of Justice. Formal approval from officials with settlement authority is required before the United States can execute such a settlement, and changes may need to be made at the request of those officials. Therefore, before a proposed consent decree may be lodged with the Court, the documents must be finalized and formally approved by EPA and the Department of Justice.

^{2/} As previously reported, those efforts were delayed somewhat by the birth of a child to undersigned counsel on April 2, 2007. While undersigned counsel was remains on parenting leave, however, other personnel at the Department of Justice and EPA sought to finalize the proposed consent decree and to obtain signatures from the required government officials on the decree.

owned by Mr. Abeldgaard and/or Ms. Barling on April 23, 2007. In response to inquiries from counsel for the United States, counsel for the United States and for Ms. Barling spoke today about further proceedings in this matter. Ms. Barling requested an additional two weeks, until June 12, 2007, to confer with his client and determine whether the proposed consent decree may be lodged with the Court.

4. Therefore, the United States requests that the stay of proceedings against Ms. Barling be continued to June 12, 2007 or until a consent decree is lodged with the Court, whichever is sooner. The United States further proposes that, if a consent decree has not been lodged by June 12, 2007, a status report be filed by June 12, 2007 that addresses the status of the case and suggests further proceedings. Ms. Barling joins in this request. A proposed order is being filed contemporaneously with this Status Report.

Respectfully submitted,

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Environment and Natural Resources Division
UNITED STATES DEPARTMENT OF JUSTICE

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CERTIFICATE OF SERVICE

I, Mark A. Nitzynski, certify that on this May 29, 2007, I caused to be filed electronically the foregoing MAY 29, 2007 STATUS REPORT AND REQUEST TO CONTINUE STAY OF PROCEEDINGS AGAINST GERALDINE BARLING (along with the [PROPOSED] ORDER CONTINUING STAY OF PROCEEDINGS AGAINST GERALDINE BARLING) with the Clerk of Court using the CM/ECF system, which sends a Notice of Electronic Filing to Darryl L. Thompson (counsel for Defendant Geraldine Barling), and that I caused hard copies of the foregoing to be served by United States mail on the following persons:

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Pro Se

/s/ Mark A. Nitzynski
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